

Daily Digest

HIGHLIGHTS

The House agreed to the Conference Report on H.R. 2419, Energy and Water Development Appropriations Act, 2006; and

The House agreed to the Conference Report on H.R. 2862, Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006.

Senate

Chamber Action

Routine Proceedings, pages S12553–S12629

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 1978–1988, and S. Con. Res. 63–64. **Pages S12606–07**

Measures Passed:

Korea Oil Stockpile: Senate passed S. 1988, to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea. **Page S12628**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto:

Pages S12560–S12601

Adopted:

By a unanimous vote of 99 yeas (Vote No. 312), Inhofe Modified Amendment No. 2440, to ensure by law the ability of the military service academies to include the offering of a voluntary, non-denominational prayer as an element of their activities.

Page S12561–65, S12566–69, S12576–77

By 98 yeas to 1 nay (Vote No. 313), Ensign Amendment No. 2443, to restate United States policy on the use of riot control agents by members of the Armed Forces. **Pages S12560, S12569, S12577–78**

Durbin (for Bayh/Durbin) Amendment No. 2483, to provide income replacement payments for certain Reserves experiencing extended and frequent mobilization for active duty service. **Pages S12579–83**

By a unanimous vote of 99 yeas (Vote No. 314), Chambliss Amendment No. 2433, to reduce the eli-

gibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or an active duty for significant periods. **Pages S12560, S12569, S12573–74, S12584–86**

Warner Amendment No. 2499 (to Amendment No. 1396 (previously agreed to)), to make a technical correction. **Pages S12589–95**

Warner (for McCain) Amendment No. 1438, to redesignate the Naval Reserve as the Navy Reserve. **Pages S12589–95**

Warner Amendment No. 2500, to extend by one year the date of the final report of the advisory panel on laws and regulations on acquisition practices and to require an interim report. **Pages S12589–95**

Warner/Leahy Amendment No. 1562, to designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Avenue Northwest in the District of Columbia as the “William B. Bryant Annex”. **Pages S12589–95**

Warner (for Feinstein/Hagel) Amendment No. 1410, to express the sense of Congress concerning actions to support the Nuclear Non-Proliferation Treaty. **Pages S12589–95**

Warner (for Martinez) Amendment No. 1885, to authorize the Secretary of the Navy to provide for welfare of Special Category Residents at Naval Station Guantanamo Bay, Cuba. **Pages S12589–95**

Warner (for Nelson (FL)) Amendment No. 2501, to express the sense of the Senate on National Defense Appropriations Act Fiscal Year 2006. **Pages S12589–95**

Warner Modified Amendment No. 1567, to modify the exclusion from officer distribution and strength limitations of officers serving in intelligence community positions. **Pages S12589–95**

Warner Modified Amendment No. 1560, to increase by \$1,500,000 the amount authorized to be appropriated to the Navy for research within the High-Brightness Electron Source program, and to provide an offset. **Pages S12589-95**

Warner Modified Amendment No. 1559, to increase by \$1,000,000 the amount authorized to be appropriated to the Army for research, development, test, and evaluation, to be available for research on and facilitation of technology for converting obsolete chemical munitions to fertilizer, and to provide an offset. **Pages S12589-95**

Warner (for Domenici/Graham) Amendment No. 1543, to authorize the Secretary of Energy to carry out certain new plant projects for defense nuclear nonproliferation activities. **Pages S12589-95**

Warner/Levin Amendment No. 2502, to modify the designation of facilities and resources constituting the Major Range and Test Facility Base. **Pages S12589-95**

Warner (for Vitter) Amendment No. 1471, to require a study on the deployment of members of the National Guard and Reserves in the global war on terrorism. **Pages S12589-95**

Warner (for Allard/Salazar) Amendment No. 2503, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Pages S12589-95**

Warner (for Santorum) Modified Amendment No. 1329, to authorize, with an offset, an additional \$1,000,000 for procurement for the Marine Corps for General Property for Field Medical Equipment for the Rapid Intravenous (IV) Infusion Pump. **Pages S12589-95**

Warner (for Roberts) Amendment No. 2504, to authorize, with an offset, an additional \$4,000,000 for research, development, test, and evaluation for the Air Force for Aging Military Aircraft Fleet Support. **Pages S12589-95**

Warner (for Inouye) Amendment No. 2505, to make United States nationals eligible for appointment to the Senior Reserve Officers' Training Corps. **Pages S12589-95**

Warner (for Hutchison) Amendment No. 2506, to require a report on cooperation between the Department of Defense and the National Aeronautics and Space Administration on research, development, test, and evaluation activities. **Pages S12589-95**

Warner (for Santorum) Amendment No. 2484, to authorize, with an offset, an additional \$1,000,000 for research, development, test, and evaluation for the Army for Warhead/Grenade Scientific Based Manufacturing Technology. **Pages S12589-95**

Warner (for Reed) Modified Amendment No. 1316, to authorize, with an offset, an additional \$5,000,000 for research, development, test, and eval-

uation for the Army for the Joint Service Small Arms Program. **Pages S12589-95**

Warner (for Akaka) Amendment No. 2485, to establish the National Foreign Language Coordination Council to develop and implement a foreign language strategy. **Pages S12589-95**

Warner (for Ensign) Amendment No. 2486, to provide, with an offset, an additional \$16,000,000 for Operation and Maintenance, Army, for the Point of Maintenance/Arsenal/Depot AIT Initiative. **Pages S12589-95**

Warner (for Ensign) Amendment No. 2487, to provide, with an offset, an additional \$4,500,000 for Operation and Maintenance, Army, for procurement of the RI-2200 and RI-2400 Long Arm High-Intensity Arc Metal Halide Handheld Searchlight. **Pages S12589-95**

Warner (for Coleman) Amendment No. 2488, to support the acquisition of foreign language skills among participants in the Reserve Officers' Training Corps. **Pages S12589-95**

Warner (for Bingaman/Domenici) Amendment No. 2489, to make available, with an offset, \$3,000,000 for Research, Development, Test, and Evaluation, Air Force, for assurance for the Field Programmable Gate Array. **Pages S12589-95**

Warner (for Domenici/Bingaman) Modified Amendment No. 1544, to authorize, with an offset, an additional \$6,000,000 for Research, Development, Test, and Evaluation, Navy, for research and development on Long Wavelength Array low frequency radio astronomy instruments. **Pages S12589-95**

Warner Amendment No. 2491, to delay until September 30, 2007, the limitation on the procurement by the Department of Defense of systems that are not equipped with the Global Positioning System. **Pages S12589-95**

Warner (for Kennedy) Amendment No. 2492, to make available, with an offset, additional amounts for defense basic research programs. **Pages S12589-95**

Warner (for Clinton/Kennedy) Amendment No. 1444, to ensure that any reimbursement for services is retained for fire protection activity. **Pages S12589-95**

Warner (for DeWine) Amendment No. 1534, to permit the Department of Defense and other Federal agencies to enter into reciprocal agreements with fire organizations for emergency medical services, hazardous material containment, and other emergency services. **Pages S12589-95**

Warner Amendment No. 2493, to improve the provision relating to clarification of authority of military legal assistance counsel. **Pages S12589-95**

Warner (for Thomas/Enzi) Modified Amendment No. 1469, to renew the moratorium on the return

of veterans memorial objects to foreign nations without specific authorization in law. **Pages S12589–95**

Warner (for Byrd) Amendment No. 2494, to provide an education loan repayment program for chaplains in the Selected Reserve. **Pages S12589–95**

Warner (for Dodd/Kennedy) Amendment No. 2495, to modify and improve the National Call to Service program. **Pages S12589–95**

Warner (for Santorum) Amendment No. 2496, to provide for the policy of the Department of Defense on the recruitment and enlistment of home schooled individuals in the Armed Forces. **Pages S12589–95**

Warner (for Feingold) Modified Amendment No. 1550, to improve national security through the establishment of a Civilian Linguist Reserve Corps Pilot Project within the Department of Defense comprised of citizens fluent in foreign languages who would be available to provide translation services and related duties, as needed. **Pages S12589–95**

Warner (for Kerry) Amendment No. 2497, to make available, with an offset, \$10,000,000 for Project Sheriff. **Pages S12589–95**

Warner (for Allard) Modified Amendment 1382, to require a report on the aircraft of the Army to perform the High-altitude Aviation Training Site of the Army National Guard. **Pages S12589–95**

Warner (for Levin) Amendment No. 2498, to make available, with an offset, an additional \$5,000,000 for Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications. **Pages S12589–95**

Warner (for Salazar) Amendment No. 2490, to provide for Department of Defense support of certain Paralympic sporting events. **Pages S12589–95**

Rejected:

By 40 yeas to 59 nays (Vote No. 315), Levin (for Durbin) Modified Amendment No. 2473, to provide for eligibility for retired pay for non-regular service. **Pages S12574, S12586**

Pending:

Dorgan Amendment No. 2476, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Pages S12571–73, S12574–75**

Lautenberg Amendment No. 2478, to prohibit individuals who knowingly engage in certain violations relating to the handling of classified information from holding a security clearance. **Pages S12575–76, S12589**

Talent Amendment No. 2477, to modify the multiyear procurement authority for C-17 aircraft. **Pages S12586–89**

During consideration of this measure today, Senate also took the following action:

Warner Modified Amendment No. 1563, to authorize the Secretary of the Navy to lease United States Navy Museum facilities at Washington Naval Yard, District of Columbia, to the Naval Historical Foundation, previously agreed to on Tuesday, November 8, 2005, was further modified by unanimous consent. **Page S12569**

Warner (for Dole) Modified Amendment No. 1526, to express the sense of the Senate on the need for community impact assistance related to the construction by the Navy of an outlying landing field in North Carolina, previously agreed to on Tuesday, November 8, 2005, was further modified by unanimous consent. **Page S12578**

A unanimous-consent-time agreement was reached providing that the time until 11:30 a.m., on Thursday, November 10, 2005, be equally divided, and that at 11:30 a.m., the Senate proceed to a vote on or in relation to Dorgan Amendment No. 2476 (listed above), to be followed by a vote on or in relation to Talent Amendment No. 2477 (listed above), with no second-degree amendments in order to the amendments prior to the votes. **Page S12595**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, November 10, 2005. **Pages S12628–29**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Iran which was declared in Executive Order No. 12170 on November 14, 1979; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–30) **Page S12605**

Executive Reports of Committees: Senate received the following executive report from the Committee on Foreign Relations:

Report to accompany Council of Europe Convention on Cybercrime (Treaty Doc. 108–11) (Ex. Rept. 109–6).

Nominations Received: Senate received the following Nominations:

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007.

Janet Ann Sanderson, of Arizona, to be Ambassador to the Republic of Haiti.

Carol A. Dalton, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Paul J. McNulty, of Virginia, to be Deputy Attorney General.

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Messages From the House: Pages S12605–06

Measures Referred: Page S12606

Enrolled Bills Presented: Page S12606

Executive Communications: Page S12606

Executive Reports of Committees: Page S12606

Additional Cosponsors: Pages S12607–08

Statements on Introduced Bills/Resolutions: Pages S12608–17

Amendments Submitted: Pages S12617–27

Notices of Hearings/Meetings: Page S12627

Authorities for Committees to Meet: Page S12627

Record Votes: Four record votes were taken today. (Total—315) Pages S12577, S12578, S12585, S12586

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Thursday, November 10, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12629.)

Committee Meetings

(Committees not listed did not meet)

AGRICULTURAL TRANSPORTATION AND ENERGY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the impact of higher energy prices and the disruption of the transportation system due to the recent hurricanes on United States agriculture, focusing on the winter energy outlook and energy's role in the agricultural sector, and the status of the Mississippi River Transportation System, after receiving testimony from Keith Collins, Chief Economist, Department of Agriculture; Gerald W. Barnes, Chief, Operations, Directorate of Civil Works, U.S. Army Corps of Engineers; Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; Daniel T. Kelley, Normal, Illinois, on behalf of the National Council of Farmer Cooperatives and the Agriculture Energy Alliance; Richard Calhoun, Cargill Incorporated, Minneapolis, Minnesota, on behalf of the National Grain and Feed Association and the North American Export Grain Association; R. Neal Elliott, American Council for an Energy-Efficient Economy, Washington, D.C.; and Ryan Niebur, Rocky Mountain Farmers Union, Burlington, Colorado, on behalf of the National Farmers Union.

DEPARTMENT OF DEFENSE ACCOUNTABILITY

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded hearings to examine the Department of Defense business transformation and financial management accountability, after receiving testimony from Kenneth J. Krieg, Under Secretary of Defense for Acquisition, Technology and Logistics; Tina W. Jonas, Under Secretary of Defense (Comptroller); and Randolph C. Hite, Director of Industrial Technology, Architecture and System Issues, Government Accountability Office.

ENERGY PRICING AND PROFITS

Committee on Commerce, Science, and Transportation/Committee on Energy and Natural Resources: Committees concluded joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, issues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of Federal and State consumer protection laws to prevent occurrences of price gouging during supply disruptions, after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission; New Jersey Attorney General Peter C. Harvey, Trenton; South Carolina Attorney General Henry McMaster, Columbia; Arizona Attorney General Terry Goddard, Phoenix; Lee R. Raymond, Exxon Mobil Corporation, Irving, Texas; David O'Reilly, Chevron Corporation, San Ramon, California; James J. Mulva, ConocoPhillips, and John Hofmeister, Shell Oil Company, both of Houston, Texas; and Ross J. Pillari, BP America, Warrenville, Illinois.

COASTAL LOUISIANA HURRICANE PROTECTION PROJECT

Committee on Environment and Public Works: Committee concluded a hearing to examine issues regarding a comprehensive and integrated approach to meet the water resources needs of coastal Louisiana in the wake of Hurricanes Katrina and Rita, including storm and flood damage reduction, ecosystem restoration and navigation, after receiving testimony from George S. Dunlop, Principal Deputy Assistant Secretary of the Army for Civil Works; Major General Don T. Riley, Director of Civil Works, U.S. Army Corps of Engineers; Anu Mittal, Director, Natural Resources and Environment, Government Accountability Office; Windell A. Curole, South Lafourche Levee District, Galliano, Louisiana; and Peter H. Brink, National Trust for Historic Preservation, Steve Ellis, Taxpayers for Common Sense,

and Scott Faber, on behalf of the Environmental Defense and the National Wildlife Federation, all of Washington, D.C.

BUSINESS MEETING

Committee on Finance: Committee met and approved recommendations relative to proposed legislation implementing the United States Bahrain Free Trade Agreement.

AVIAN INFLUENZA

Committee on Foreign Relations: Committee concluded hearings to examine the need for a response strategy to address the threat of avian influenza, focusing on measures to stop the spread of the virus in Asia and preventing a global pandemic, after receiving testimony from Andrew S. Natsios, Administrator, U.S. Agency for International Development; Paula J. Dobriansky, Under Secretary of State for Democracy and Global Affairs; Julie L. Gerberding, Director, Centers for Disease Control and Prevention, and Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, both of the Department of Health and Human Services; Laurie Garrett, Council on Foreign Relations, New York, New York; and James Newcomb, Bio Economic Research Associates, Cambridge, Massachusetts.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings to examine the nominations of Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus, Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey, Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland, and Marilyn Ware, of Pennsylvania, to be Ambassador to Finland, who was introduced by Senator Specter, after the nominees testified and answered questions in their own behalf.

COAST GUARD RESPONSE TO HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the Coast Guard's response to Hurricane Katrina, focusing on the Continuity of Operations Plan (COOP), preparations for catastrophic events, and communicating through satellite telephones, text messaging, and commercial e-mail accounts during disasters, after receiving testimony from Rear Admiral Robert F. Duncan, Commander, Eighth Coast Guard District, Captain Frank M. Paskewich, Commander,

Coast Guard Sector New Orleans, and Captain Bruce C. Jones, Commanding Officer, Coast Guard Air Station New Orleans, all of the U.S. Coast Guard, Department of Homeland Security.

FEDERAL SECURITY CLEARANCE PROCESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded hearings to examine the Federal security clearance process, focusing on Office of Personnel Management's plan to address the backlog of security clearance investigations, after receiving testimony from Linda M. Springer, Director, Office of Personnel Management; Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and Derek B. Stewart, Director of Military and Civilian Personnel Issues, Government Accountability Office.

CAMERAS IN THE COURTROOM

Committee on the Judiciary: Committee concluded hearings to examine the use of cameras in the courtroom, focusing on a pilot program providing for electronic media coverage of civil proceedings in certain Federal trial and appellate courts, including the U.S. Supreme Court, and related measures S. 829 and S. 1768, after receiving testimony from Senators Grassley and Schumer; Judge Diarmuid F. O'Scannlain, United States Court of Appeals for the Ninth Circuit, Portland, Oregon; Judge Jan E. DuBois, United States District Court for the Eastern District of Pennsylvania, Philadelphia; Barbara E. Bergman, National Association of Criminal Defense Lawyers, Seth D. Berlin, Levine Sullivan Koch & Schulz, Brian P. Lamb, C-SPAN Networks, and Barbara Cochran, Radio-Television News Directors Association, all of Washington, D.C.; Peter Irons, University of California at San Diego; and Henry S. Schleiff, Court TV Networks, New York, New York.

BUSINESS MEETING

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights approved for full committee consideration S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 4261–4289; 1 private bill, H.R. 4290; and 3 resolutions, H. Con. Res. 294 and H. Res. 543–544, were introduced. **Pages H10144–45**

Additional Cosponsors: **Pages H10145–46**

Reports Filed: Reports were filed today as follows:
H. Res. 542, providing for consideration of H.R. 4241, to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109–281). **Page H10144**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today. **Page H10043**

Chaplain: The prayer was offered today by Rev. Mac Hammond, Living Word Christian Center, Brooklyn Park, Minnesota. **Page H10043**

Energy and Water Development Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 399 yeas to 17 nays, Roll No. 580. **Pages H10058–65, H10081–82**

H. Res. 539, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 412 yeas to 2 nays, Roll No. 577, after agreeing to order the previous question. **Pages H10048–50, H10056**

Presidential Message: Presidential Message: Read a message from the President notifying Congress of the continuation of the national emergency with respect to Iran—referred the Committee on International Relations and ordered to be printed (H. Doc. 109–68). **Page H10065**

Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 397 yeas to 19 nays, Roll No. 581. **Pages H10065–74, H10082–83**

H. Res. 538, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 410 yeas with none voting “nay”, Roll No. 578, after agreeing to order the previous question. **Pages H10050–53, H10056–57**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, November 10th.

Veterans Housing and Employment Improvement Act of 2005: H.R. 3665, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans. **Pages H10074–81**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, November 8th:

Fair Access Foster Care Act of 2005: S. 1894, to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies, by a yea-and-nay vote of 408 yeas to 1 nay, Roll No. 582—clearing the measure for the President. **Page H10083**

USA PATRIOT Improvement and Reauthorization Act of 2005—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 3199, to extend and modify authorities needed to combat terrorism. **Pages H10084–90**

The House agreed to the Boucher motion to instruct conferees by voice vote after agreeing to order the previous question. **Pages H10084–90**

The Chair appointed conferees: from the Committee on the Judiciary for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Messrs. Sensenbrenner, Coble, Smith of Texas, Gallegly, Chabot, Jenkins, Conyers, Berman, Boucher, and Nadler. **Page H10090**

Provided that Mr. Scott of Virginia is appointed in lieu of Mr. Nadler for consideration of secs. 105, 109, 111–114, 120, 121, 124, 131, and title II of the House bill, and modifications committed to conference. **Page H10090**

From the Permanent Select Committee on Intelligence, for consideration of secs. 102, 103, 106, 107, 109, and 132 of the House bill, and secs. 2, 3, 6, 7, 9, and 10 of the Senate amendment, and modifications committed to conference: Mr. Hoekstra, Mrs. Wilson of New Mexico, and Ms. Harman. **Page H10090**

From the Committee on Energy and Commerce, for consideration of secs. 124 and 231 of the House

bill, and modifications committed to conference: Messrs. Norwood, Shadegg, and Dingell. **Page H10090**

From the Committee on Financial Services, for consideration of sec. 117 of the House bill, and modifications committed to conference: Messrs. Oxley, Bachus, and Frank of Massachusetts.

Page H10090

From the Committee on Homeland Security, for consideration of secs. 127–129 of the House bill, and modifications committed to conference: King of New York, Weldon of Pennsylvania, and Ms. Zoe Lofgren.

Page H10090

Secure Access to Justice and Court Protection Act of 2005: The House passed H.R. 1751, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, by a yea and nay vote of 375 yeas to 45 nays, Roll No. 585. **Pages H10090–H10109**

Rejected the Higgins motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 201 yeas to 221 noes, Roll No. 584. **Pages H10106, H10107–08**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

Page H10095

Agreed to:

Sensenbrenner Manager's amendment (no. 1 printed in H. Rept. 109–279) that clarifies that the death penalty shall apply only where death results and covers only those offenders who qualify as principals in the killing. In addition, the amendment makes eligible tribal courts for court security grants. Also corrects drafting of coordination requirement between U.S. Marshals and Administrative Office of the U.S. Courts on security measures; **Page H10099**

Cuellar amendment (no. 4 printed in H. Rept. 109–279) that adds a category of preferential consideration for witness protection grants. The new category will add another tool for border prosecutors to encourage witnesses to testify against cross-border crimes; **Pages H10101–02**

Jackson-Lee of Texas amendment (no. 5 printed in H. Rept. 109–279) that requires the Attorney General to work, through the Office of Justice Programs, to make grants to the highest State courts in States participating in the threat assessment database;

Page H10102

Filner amendment (no. 6 printed in H. Rept. 109–279) which adds the following grant guideline for young witness assistance, "support for young wit-

nesses who are trying to leave a criminal gang and information to prevent initial gang recruitment.";

Pages H10102–03

Weiner amendment (no. 7 printed in H. Rept. 109–279) that ensures that courts are authorized to apply directly to the Federal government for law enforcement grants; and

Pages H10103–04

King of Iowa amendment (no. 8 printed in H. Rept. 109–279) that allows any justice or judge of the United States, any judge of a court created under Article I of the United States Constitution, any bankruptcy judge, any magistrate judge, any United States Attorney, and any other officer or employee of the Department of Justice whose duties include representing the U.S. in a court of law, to carry firearms subject to training and regulation as prescribed by the Attorney General. **Pages H10104–05**

Rejected:

Scott of Virginia amendment (no. 2 printed in H. Rept. 109–279) that sought to replace all mandatory minimum sentences with higher maximum sentences; and

Pages H10099–H10101

Scott of Virginia amendment (no. 3 printed in H. Rept. 109–279) that sought to remove the death penalty for the killing of Federally funded public safety officers (by a recorded vote of 97 yeas to 325 noes, Roll No. 583). **Pages H10101, H10105–06**

The amendment in the nature of a substitute, as amended, was adopted. **Page H10106**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House.

Page H10109

H. Res. 540, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 579, after agreeing to order the previous question by voice vote. **Pages H10053–56, H10057–58**

Senate Message: Message received from the Senate today appears on page H10058.

Quorum Calls—Votes: Seven yea-and-nay votes and two recorded votes developed during the proceedings today and appear on pages H10056, H10056–57, H10057–58, H10081–82, H10082–83, H10083, H10105–06, H10107–08, and H10108. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:50 p.m.

Committee Meetings

NATURAL GAS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies and the Subcommittee on Energy and Water Development,

and Related Agencies held a joint hearing on Natural Gas. Testimony was heard from the following officials of the Department of Energy: Guy Caruso, Director, Energy Information Administration; and David K. Garman, Under Secretary, Energy Science and Environment; P. Lynn Scarlett, Assistant Secretary, Policy, OMB, and public witnesses.

DEFENSE LOGISTICS AGENCY'S PRIME VENDOR PROGRAM

Committee on Armed Services: Held a hearing on the Defense Logistics Agency's Prime Vendor Program. Testimony was heard from the following officials of the Department of Defense: Kenneth J. Krieg, Under Secretary, Acquisition, Technology and Logistics; and VADM Keith W. Lippert, USN, Director, Defense Logistics Agency.

REGIONAL POWERS' THREATS TO U.S. INTERESTS

Committee on Armed Services: Regional Powers Panel held a hearing on regional powers' threats to the United States' interests. Testimony was heard from the following former officials of the Department of the Navy: VADM Albert H. Konetzni, Jr., USN (ret.), former Deputy and Chief of Staff, Atlantic Fleet and former Commander Submarine Force, Pacific Fleet; and RADM James F. Sigler, USN (ret.), former Deputy Commander-in-Chief, Pacific Fleet and Former Director, Plans and Policy, U.S. Central Command.

INTERNET PROTOCOL AND BROADBAND SERVICES

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on a proposal to create a statutory framework for Internet Protocol and Broadband Services. Testimony was heard from public witnesses.

FINANCIAL DATA PROTECTION ACT OF 2005

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3997, Financial Data Protection Act of 2005. Testimony was heard from Julie Brill, Assistant Attorney General, State of Vermont; and public witnesses.

FEDERAL EMPLOYEES APPEALS COURT

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Justice Delayed Is Justice Denied: A Case for a Federal Employees Appeals Court." Testimony was heard from Neil A. McPhie, Chairman, Merit Systems Protection Board; Dale Cabaniss, Chairman, Federal Labor Relations Authority; and

Cari Dominguez, Chair, EEOC; and a public witness.

RESPONDING TO CATASTROPHIC EVENTS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology and the Subcommittee on Terrorism, Unconventional Threats and Capabilities of the Committee on Armed Services held a joint hearing entitled "Responding to Catastrophic Events: the Role of the Military and National Guard in Disaster Response." Testimony was heard from the following officials of the Department of Homeland Security: Michael P. Jackson, Deputy Secretary; and ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard; and the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; MG Richard J. Rowe, Jr., USA, Director of Operations, U.S. Northern Command; and LTG H. Steven Blum, USA, Chief, National Guard Bureau.

REQUESTING THE PRESIDENT TO PROVIDE DOCUMENTS RELATING TO WHITE HOUSE IRAQ GROUP

Committee on International Relations: Ordered adversely reported H. Res. 505, Requesting the President of the United States and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq Group.

GERMANY AFTER THE ELECTION

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on Germany After the Election: Implications for Germany, Europe and U.S.-German Relations. Testimony was heard from public witnesses.

ILLICIT DRUG TRANSIT ZONE IN CENTRAL AMERICA

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on the Illicit Drug Transit Zone in Central America. Testimony was heard from RADM Jeffrey J. Hathaway, USCG, Director, Joint Interagency Task Force South, U.S. Coast Guard, Department of Homeland Security; Michael A. Braun, Chief of Operations, DEA, Department of the Judiciary; and Jonathan D. Farrar, Deputy Assistant Secretary, Bureau for International Narcotics and Law Enforcement, Department of State.

The Subcommittee also held a briefing on this subject. The Subcommittee was briefed by VADM Guillermo E. Barrera, Chief of Naval Operations, National Navy of Colombia.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 3889, amended, Methamphetamine Epidermic Elimination Act of 2005; H.R. 2791, United States Patent and Trademark Fee Modernization Act of 2005; and H.R. 3729, amended, To provide emergency authority to delay or toll judicial proceedings in United States district and circuit courts.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on The Voting Rights Act: Section 5—Judicial Evolution of the Retrogression Standard. Testimony was heard from public witnesses.

The Subcommittee also held an oversight hearing on the Voting Rights Act: Section 203—Bilingual Election Requirements, Part II. Testimony was heard from public witnesses.

OFF-RESERVATION INDIAN GAMING

Committee on Resources: Held an oversight hearing on the Second Discussion Draft of Legislation Off-Reservation Indian Gaming. Testimony was heard from Mary Kay Papen, member, Senate, State of New Mexico; Steven J. Rauschenberger, member, Senate, State of Illinois; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 3626, Arthur V. Watkins Dam Enlargement Act of 2005; H.R. 3967, Pactola Reservoir Reallocation Authorization Act of 2005; and 4195, Southern Oregon Bureau of Reclamation Repayment Act of 2005. Testimony was heard from Jack Garner, Acting Deputy Commissioner, Bureau of Reclamation, Department of the Interior; Jim Shaw, Mayor, Rapid City, South Dakota; and a public witness.

DEFICIT REDUCTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing two hours of debate in the House on H.R. 4241, Deficit Reduction Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report accompanying the resolution shall be considered as adopted. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time des-

ignated by the Speaker. Testimony was heard from Chairman Nussle and Representatives Emerson, Moran of Kansas, Flake, Allen, and Moore of Wisconsin.

REQUESTING THE PRESIDENT TO PROVIDE DOCUMENTS ON CLIMATE CHANGE ON THE COASTAL REGIONS OF THE U.S.

Committee on Science: Ordered adversely reported H. Res. 515, Of Inquiry requesting the President of the United States to provide to the House of Representatives certain documents in his possession relating to the anticipated effects of climate change on the coastal regions of the United States.

PENSION PROTECTION ACT OF 2005

Committee on Ways and Means: Ordered reported, as amended, H.R. 2830, Pension Protection Act of 2005.

UNAUTHORIZED DISCLOSURES; PROGRESS OF THE DNI

Permanent Select Committee on Intelligence, executive, hearing entitled “Unauthorized Disclosures.” Testimony was heard from departmental witnesses.

The Committee also met in executive session to hold a hearing entitled “Progress of the Director of National Intelligence.” Testimony was heard from John D. Negroponte, Director of National Intelligence.

HURRICANE KATRINA—PREPAREDNESS AND RESPONSE BY STATE OF ALABAMA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled “Hurricane Katrina: Preparedness and Response by the State of Alabama.” Testimony was heard from Michael Bolch, Federal Coordinating Officer, FEMA, Department of Homeland Security; and the following officials of the State of Alabama: Bob Riley, Governor; Bruce Baughman, Director, Emergency Management Agency; Jim Walker, Director, Department of Homeland Security; Walter Dickerson, Director, Mobile County Emergency Management Agency; and Leigh Anne Ryals, Director, Baldwin County Emergency Management Agency.

Joint Meetings**APPROPRIATIONS: TRANSPORTATION/TREASURY/HUD**

Conferees met to resolve the differences between the Senate- and House-passed versions of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and

independent agencies for the fiscal year ending September 30, 2006, but did not complete action thereon, and will meet again on Thursday, November 10.

COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 10, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, and James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, both of the Department of Agriculture, 9 a.m., SR-328A.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the development of New Basel Capital Accords, 9:30 a.m., SD-538.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation, to hold hearings to examine the impact of the Wright amendment, which restricts travel into and out of Dallas Love Field for commercial flights with more than 56 seats, 9:30 a.m., SH-216.

Subcommittee on Disaster Prevention and Prediction, with the Subcommittee on Science and Space, to hold joint hearings to examine S. 517, to establish a Weather Modification Operations and Research Board, 2:30 p.m., SD-562.

Committee on Energy and Natural Resources: to hold hearings to examine the nominations of Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, and Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, both of the Department of Energy, 10:30 a.m., SD-366.

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety, to hold hearings to examine the implementation of the existing particulate matter and ozone air quality standards, 9:30 a.m., SD-406.

Committee on Finance: business meeting to consider an original bill pertaining to expiring tax provisions and additional incentives for hurricane affected areas, 10 a.m., SD-215.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD-226.

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine the state interest in protecting children and families relating to pornography, 2 p.m., SD-226.

Committee on Veterans' Affairs: to hold hearings to examine the rebuilding of VA assets on the Gulf Coast, 2 p.m., SD-138.

House

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on H.R. 1445,

Workplace Religious Freedom Act of 2005, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protections, hearing entitled "Right to Repair: Industry Discussions and Legislative Options," 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Domestic and International Monetary Policy, Trade, and Technology and the Subcommittee on Oversight and Investigations, joint hearing entitled "Oversight of the Export-Import Bank of the United States," 10 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, executive, briefing on medical countermeasures for nuclear attack, 1 p.m., 311 Cannon.

Committee on International Relations, hearing on An Around-the-World Review of Public Diplomacy, 10:30 a.m., 2172 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Broadcasting Board of Governors and Alhurra Television, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 3035, Streamlined Procedures Act of 2005, 10 a.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled "How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress," 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, hearing H.R. 4200, Forest Emergency Recovery and Research Act, 9:30 a.m., 1334 Longworth.

NEPA Task Force, hearing on NEPA Litigation: The Causes, Effects and Solutions, 10:30 a.m., 1324 Longworth.

Subcommittee on National Parks, hearing on the following bills: H.R. 413, Bleeding Kansas National Heritage Act; H.R. 452, To authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; and H.R. 1307, Musconetcong Wild and Scenic Rivers Act, 1 p.m., 1334 Longworth.

Committee on Science, Subcommittee on Research, hearing on the Role of Social Science Research in Disaster Preparedness and Response, 10 a.m., 2318 Rayburn.

Joint Meetings

Conference: meeting of conferees on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, 2:30 p.m., HC-5, Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, November 10

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, November 10

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 1 hour), Senate will continue consideration of S. 1042, National Defense Authorization, with a vote to occur beginning at 11:30 a.m. on Dorgan Amendment No. 2476; to be followed by a vote on Talent Amendment No. 2477.

House Chamber

Program for Thursday: Consideration of H.R. 4241—Deficit Reduction Act of 2005 (Subject to a Rule).

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